

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Richmond Division**

LULA WILLIAMS, *et al.*,

Plaintiffs,

v.

Civil Action No. 3:19-cv-00085

MICROBILT CORPORATION, *et al.*,

Defendants.

**MEMORANDUM IN SUPPORT OF CONSENT MOTION TO EXTEND CERTAIN
DISCOVERY DEADLINES**

The Plaintiffs, by counsel and with the consent of the Defendants, by counsel, have moved the Court for a 30-day extension of the deadlines listed in the Court's May 5, 2020 Order (ECF No. 266), a 45-day enlargement of the deadline in the Court's Memorandum Order (ECF No. 252), and a 45-day enlargement of Plaintiffs' Opposition to Defendants' Motion to Reconsider the Court's Memorandum Order (ECF 256).

Under Rule 6, Parties may seek an extension of any pending deadlines for good cause. Fed. R. Civ. P. 6(b)(1)(A). Here, there is good cause for the requested extension. Following the May 5 bifurcation hearing, the Parties have worked diligently to complete the work outlined by the Court. They have exchanged several emails, had telephone calls, and a meet-and-confer call on May 9, 2022. Through these discussions, it has become clear that the best use of the Parties' resources is to explore the possibility of settling the case. To that end, the Parties have already contacted Judge Colombell's chambers and scheduled a settlement conference for June 22, 2022.

The Parties have also discussed the outstanding discovery issues. However, it is Plaintiffs' counsel's firm belief that pressing these issues prior to the settlement conference will be unproductive and will hinder the Parties' ability to meaningfully explore a settlement outcome. The

Parties already have a good understanding of the claims and defenses in this case, which although are not sufficient for trial, have fully informed them as to the settlement issues in this litigation. Because Plaintiffs' counsel would like the best opportunity to resolve this case, they are seeking a 30-day extension of the deadlines in the Court's May 5, 2022 Order (ECF No. 266), a 45-day enlargement of the deadline in the Court's Memorandum Order (ECF No. 252), and a 45-day enlargement of Plaintiffs' Opposition to Defendants' Motion to Reconsider the Court's Memorandum Order (ECF 256). Notably, Plaintiffs will still have to comply with some of the Court's deadlines prior to the scheduled settlement conference, so if the settlement conference is unsuccessful, any delay to resolution would be minimal. Plaintiffs' counsel understands that this case has been pending on the Court's docket for a long time, but want to reassure the Court that they will put their best efforts into resolving this case promptly. Should the case not resolve at the June 22, 2022 settlement conference, discovery and move the case forward shortly thereafter.

For these reasons, there is good cause to grant the extension. Again, Plaintiffs' counsel is mindful of the Court's docket, but represents that the extension is not sought to cause any additional delay, but to try and aid the swift resolution of the case through settlement. Accordingly, the Plaintiffs ask that the Court grant their Motion and entered the Proposed Order.

Respectfully submitted,
PLAINTIFFS

By: /s/
Kristi Cahoon Kelly, VSB #72791
Andrew J. Guzzo, VSB #82170
Casey S. Nash, VSB #84261
KELLY GUZZO, PLC
3925 Chain Bridge Road, Suite 202
Fairfax, VA 22030
Phone: 703-424-7572
Fax: 703-591-0167
Email: kkelly@kellyguzzo.com
Email: aguzzo@kellyguzzo.com

Email: casey@kellyguzzo.com

Leonard A. Bennett, VSB #37523
Craig C. Marchiando VSB #89736
CONSUMER LITIGATION ASSOCIATES, P.C.
763 J. Clyde Morris Blvd., Suite 1-A
Newport News, VA 23601
Telephone: (757) 930-3660
Facsimile: (757) 930-3662
Email: lenbennett@clalegal.com
Email: craig@clalegal.com
Counsel for Plaintiffs